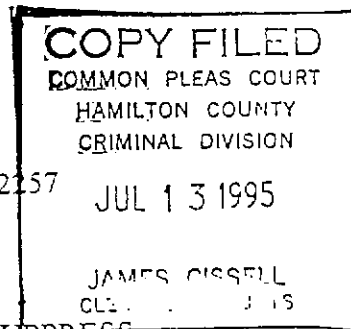


COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO



STATE OF OHIO

Case No. B-9502257

Plaintiff

(J. Nurte)

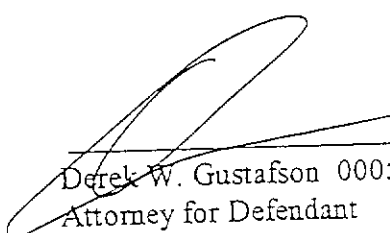
v.

MOTION TO SUPPRESS

DALLAS HAYES

Defendant

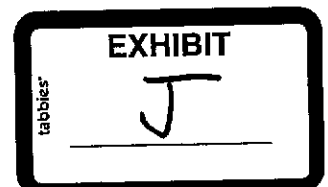
Now comes the defendant, by and through counsel, and moves to suppress any statements made by the defendant to law enforcement officials for the reasons set forth herein



Derek W. Gustafson 0005144  
Attorney for Defendant  
Suite 1100  
30 E. Central Pkwy.  
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(513) 241-7880

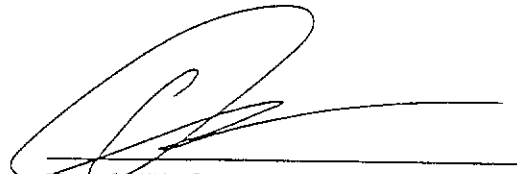
MEMORANDUM

Defendant in this matter is an individual of extremely low intellect. Counsel believes that the defendant has made certain statements to police in response to questioning while in custody. Individuals must be appraised of their right to remain silent and their right to counsel before questioning and any statement made without a knowing, voluntary and intelligent waiver is inadmissible. Miranda v. Arizona, 384 U.S. 436 (1966). Counsel believes that the evidence in this matter will show that the defendant did not make a knowing and voluntary waiver of his right to remain silent and right to counsel



during questioning and as such that the statements taken by police are in violation of the defendants right against self incrimination under the Fifth Amendment to the united States Constitution.

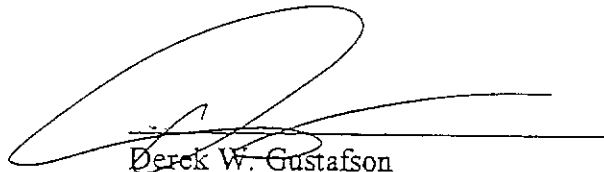
Wherefore, defendant requests that any and all statements made by the defendant in response to questioning while in custody be suppressed.



Derek W. Gustafson 0005144  
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30 E. Central Pkwy.  
Cincinnati, Ohio 45202  
(513) 241-7880

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the Hamilton County Prosecutor's Office by hand delivery same day as filed with the Court.



Derek W. Gustafson